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DAC/11 #3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Zachary S. Gibler, Timothy A. Hogan, Patrick M. Quinn, Charles J. Darnell, and Doug Stang

Serial No.: 10/005,099

Group Art Unit:

Filed: December 5, 2001

Examiner:

For: Systems and Methods for Providing Lighting Solutions Over a Computer Network

Box DAC  
Commissioner for Patents  
Washington, D.C. 20231

Attorney Docket No. N0023/250365

RECEIVED

JUL 15 2002

RESPONSE TO NOTICE TO FILE MISSING PARTS OF  
APPLICATION AND PETITION UNDER 37 CFR 1.47(a)

OFFICE OF PETITIONS

Sir:

Co-Applicants Zachary S. Gibler, Timothy A. Hogan, Patrick M. Quinn, and Charles J. Darnell, through the undersigned attorney, submit this response to the Notice to File Missing Parts of Application mailed on January 7, 2002, along with this petition under 37 CFR 1.47(a). Applicants petition that the period for response to the Notice to File Missing Parts be extended for four months, to and including July 7, 2002. The Large Entity fee of \$1140.00 for this extension under 37 C.F.R. 1.17 and the \$130.00 declaration surcharge (totaling \$1270.00) accompanies this petition.

07/10/2002 AMNDP1 00000140 10005099

01 FC:118

1440.00 DP

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this correspondence, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on this 3rd day of July 2002 with sufficient postage as first-class mail in an envelope addressed to BOX MISSING PARTS, Commissioner for Patents, Washington, D.C. 20231.

*Halimah Duncan*  
Halimah Duncan

## STATEMENT OF FACTS

### A. Oath/Declaration

Attached as Exhibit 1 is a Declaration of Inventorship executed by Zachary S. Gibler, Timothy A. Hogan, Patrick M. Quinn, and Charles J. Darnell.

### B. Statement under 37 CFR 3.73(b)

Attached as Exhibit 2 is a Statement under 37 CFR 3.73(b) signed by an authorized representative of Assignee Acuity Brands, Inc.

### C. Proof that the Applicant/Inventor (1) Refuses to Sign the Application Papers and (2) Cannot Be Reached to Execute the Application Papers

Attached as Exhibit 3 is a declaration by Karen W. Shelton, setting forth documentation evidencing that Doug Stang was originally reached on January 18, 2002, but failed to execute the Application papers; that he subsequently moved and cannot be reached.

### D. Statement of Last Known Address

The last known address of Applicant/Inventor Doug Stang is:

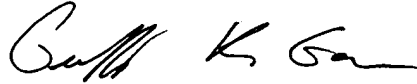
Doug Stang  
114 Warren Street  
Columbus, OH 43215

Co-Applicants Zachary S. Gibler, Timothy A. Hogan, Patrick M. Quinn, and Charles J. Darnell respectfully request that this petition be granted and that the application be accepted and a filing date assigned.

U.S. Serial No: 10/005,099  
PETITION UNDER 37 CFR 1.47(a)  
Filed: December 5, 2001

The Commissioner is authorized to charge any additional fees which may be  
due, or credit any overpayment, to Deposit Account No. 11-0855.

Respectfully submitted,



Geoffrey K. Gavin  
Reg. No. 47,591

Date: July 3, 2002  
KILPATRICK STOCKTON LLP  
1100 Peachtree Street, Suite 2800  
Atlanta, Georgia 30309  
(404) 815.6046



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WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/005,099	12/05/2001	Zachary Shane Gibler	N0023/250365

CONFIRMATION NO. 9468

23370  
JOHN S. PRATT, ESQ  
KILPATRICK STOCKTON, LLP  
1100 PEACHTREE STREET  
SUITE 2800  
ATLANTA, GA 30309

FORMALITIES LETTER



\*OC000000007274084\*

Date Mailed: 01/07/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice MUST be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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